

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

PRAXAIR DISTRIBUTION, INC.
39 Old Ridgebury Road
Danbury, Connecticut 06810

Plaintiff,

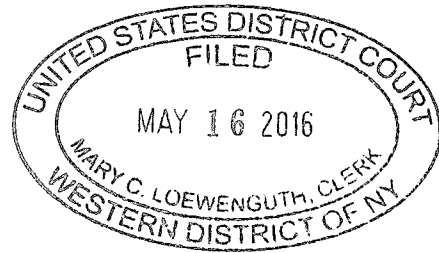
-vs.-

DAVID GRUARIN
3272 Jerauld Avenue
Niagara Falls, New York 14305

and

HAUN WELDING SUPPLY, INC.
5921 Court Street Road
Syracuse, New York 13206

Defendants.



Civil Action No. 16 CV 00164
EAW
~~PROPOSED~~ STIPULATED
ORDER

Upon the Plaintiff, Praxair Distribution, Inc. ("PDI"), having made a Motion for Expedited Discovery and Other Relief, filed May 6, 2016 (the "Motion"), PDI and Defendants Haun Welding Supply, Inc. ("Haun") and David Guarin ("Guarin") (collectively referred to herein as "Defendants"), by and through their respective undersigned counsel, do hereby stipulate and agree as follows:

Plaintiff's motion for expedited discovery shall be granted as to the following: (1) forensic analysis of Defendant Guarin's personal email accounts, including those email accounts to which Guarin sent emails from his PDI accounts during January, 2016, except that the time frame for this expedited discovery shall be from November 1, 2015 to the present; (2) forensic analysis of Defendant Guarin's personal and business cell phones and computers, if any, for information with respect to PDI customers as well as information sent to his personal email accounts while still employed with PDI, except that the time frame for this expedited discovery shall be from November 1, 2015 to the present; (3) forensic analysis of Defendant Haun's ERP

system located in Syracuse, New York, and Haun's laptops, desktop computers and cell phones issued to Defendant Gruarin, any employee in Haun's Buffalo office, or any other Haun employee who has worked with or communicated with Defendant Gruarin for communications with and/or bids submitted to any of the PDI customers listed in Exhibit A to the accompanying affidavit of John Velna in conjunction with the Motion (hereinafter referred to as "Exhibit A"), except that the time frame for this expedited discovery shall be from December 1, 2015 to the present; (4) forensic analysis of any email account of Defendant Gruarin contained in Haun's electronic devices for information with respect to PDI and information sent to this account with respect to PDI from any personal email accounts of Defendant Gruarin as well as any emails to PDI customers listed in Exhibit A and/or any emails to PDI customers served by Gruarin while employed by PDI except that the time frame for this expedited discovery shall be from the earliest date on which Haun established any email account or contact point for Defendant Gruarin to the present; (5) forensic analysis of Defendant Haun's ERP system located in Syracuse, New York, email system, and Haun's laptops, desktop computers and cell phones issued to Defendant Gruarin, any employee in Haun's Buffalo office, or any other Haun employee who has worked with or communicated with Defendant Gruarin for communications with Defendant Gruarin during the period from January 1, 2016 to the present; (6) forensic analysis of Defendant Haun's ERP system in Syracuse, New York, and Haun's laptops, desktop computers, and cell phones issued to Defendant Gruarin, any employee in Haun's Buffalo office, or any other Haun employee who has worked with or communicated with Defendant Gruarin with respect to bids submitted to any PDI customers listed in Exhibit A except that the time frame for this expedited discovery shall be from January 1, 2016 to the present, and (7) all hard copy documentation with respect to bids submitted by Haun to any PDI customers listed in Exhibit A and supporting documentation relating to the preparation of such bids and communications with respect thereto except that the time frame for this expedited discovery shall be from January 1, 2016 to the

present; and further, that all of the aforementioned expedited discovery is to be carried out subsequent to the execution of a mutually-acceptable "Confidentiality Stipulation and Order" by and between the parties, and in conformity with the terms thereof.

STIPULATED AND AGREED TO:

SCHRÖDER, JOSEPH & ASSOCIATES, LLP

s/ Linda H. Joseph

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SO ORDERED:



Hon. Elizabeth A. Wolford, U.S.D.J.

GRANTED: 5-16-16